REMARKS

The Office Action dated November 20, 2003, has been received and carefully noted. The foregoing amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 3-10, 12, 13, 15, and 16-22 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Claims 2 and 14 have been cancelled without prejudice. No new matter has been added, and no new issues are raised that require further consideration and/or search. Claims 1, 3-13 and 18-22 are pending in the present application, and are respectfully submitted for consideration.

Applicant acknowledges with appreciation that the Examiner indicates that Information Disclosure Statement filed June 1, 2001, has been considered. Applicant also notes that acknowledgment is made of the claim for foreign priority under 35 U.S.C. § 1.119.

The specification stands objected to because the Abstract includes idiomatic errors. Applicant hereby submits a new Abstract that removes the errors and complies with 37 C.F.R § 1.172. Thus, the objection is rendered moot. Applicant respectfully requests that the Examiner withdraw the objection to the specification.

Claims 1, 8, 9-10, 12-13, 15 and 19-22 stand rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Specifically, the Office Action alleges that the claims include grammatical and idiomatic errors. Applicant submits that

the errors have been removed in the amended claims. Thus, the rejection is rendered moot. Applicant respectfully requests that the Examiner withdraw the indefiniteness rejection.

Claims 1-22 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,115,383 (Bell et al.). To anticipate, the cited reference must disclose each and every element of the claimed invention. Applicant respectfully submits that the presently pending claims recite subject matter that is neither disclosed nor suggested in the cited prior art.

Claim 1, which claims 3-8 depend therefrom, recites a method of initiating services in a telecommunications network including at least one switching point and at least two control points for controlling services. The control points each have a unique address. A service request is sent by the switching point to a control point in order to initiate a service. The method comprises setting at least two control points addresses to send a service request. The method also includes sending the service request through the control point addresses one at a time, until the service is initiated at one of the addresses. The service request is sent to an address and when the address does not initiate the service, the service request is sent to another address, until the service is initiated at one of the addresses.

Claim 9, which claims 10-13 and 15-18 depend therefrom, recites a method of initiating services in a telecommunications network including at least one switching point and at least two control points for controlling services. The control points each have a

unique address. A service request is sent by the switching point to a control point in order to initiate a service, and switching point has congestion information of at least one control point. The method comprises setting at least two control point addresses to send a service request. The method also includes sending the service request to a control point address selected on the basis of the congestion information. The service request is sent to an address selected on the basis of the congestion information and when the address does not initiate the service, the service request is sent to another address selected on the basis of the congestion information, until the service is initiated at one of the addresses.

Claim 19 recites a telecommunications network including at least one switching point, at least two control points for controlling services, wherein the control points each have a unique address, and a database for storing information relating to services. The switching point sends a service request to a control point in order to initiate a service. The network comprises means for storing in the database at least two control point addresses to send a service request. The network also includes means for adapting the switching point to send the service request to the said control point addresses one at a time, until the service is initiated at one of the control point addresses. The service request is sent to an address and when the address does not initiate the service, the service request is sent to another address, until the service is initiated at one of the addresses.

Claim 20 recites a switching point for a telecommunications network including at least one switching point, at least two control points for controlling services, wherein the control points each have a unique address, and a database for storing information relating

to service. The switching point sends a service request to a control point in order to initiate a service. The switching point comprises means to receive a list of at least two control point addresses that a service request is sent. The switching point includes means to send the service request to the set control point addresses one at a time, until the service is initiated at one of the control point addresses. The service request is sent to an address and when the address does not initiate the service, the service request is sent to another address, until the service is initiated at one of the address.

Claim 21 recites a telecommunications network including at least one switching point, at least two control points for controlling services, wherein the control points each have a unique address, and a database for storing information related to services. The switching point sends a service request to the control point in order to initiate a service and the switching point has congestion information of at least one control point. The network comprises in the database, at least two control point addresses that are stored a service request is sent. The switching point is adapted to send the service request to control point address selected on the basis of the congestion information. The service request is sent to an address selected on the basis of the congestion information and when the address does not initiate the service, the service request is sent to another address selected on the basis of the congestion information, until the service is initiated at one of the addresses.

Claim 22 recites a switching point for a telecommunications network including at least one switching point, at least two control points for controlling services, wherein the

control points each have a unique address, and a database for storing information relating to services. The switching point sends a service request to a control point in order to initiate a service and the switching point has congestion information of at least one control point. The switching point comprises means to receive a list of at least two control point addresses that a service request is sent. The switching point also includes means to send the service request to the control point address selected on the basis of the congestion information. The service request is sent to an address selected on the basis of the congestion information and when the address does not initiate the service, the service request is sent to another address selected on the basis of the congestion information, until the service is initiated at one of the addresses.

As discussed in the present specification, each service request has at least two control point addresses set. The service request is sent to one address and if that address does not initiate the service, the service request is sent to another address. This is repeated for all of the set control point addresses until the service is initiated. The setting of the at least two addresses and then the sending of the same service request to more than one address if the first address does not initiate the service allows a message to be sent to a particular service control point (SCP) when a SCP is unable to initiate a service in response to the message. It is respectfully submitted that the prior art of Bell fails to disclose or suggest the elements of any of the presently pending claims. Therefore, the prior art fails to provide the critical and unobvious invariances discussed above.

Bell relates to a system for controlling message allocation among a plurality of service control points 16. In particular, Bell describes the signal transfer point 14 being responsible for distributing messages among the plurality of service control points. Bell describes different ways in which the messages may be allocated. For example, Bell describes the messages being sequentially sent to each of the service control points. Thus, message A is sent to the first service control point, message B is sent to the second service control point, and so on. Applicant submits that Bell does not disclose sending the message in turn to different service control points. At most, Bell may describe having different weighting between the service control points and taking into account, for example, if the one of the nodes is unavailable or has failed. Bell, however, does not disclose sending the service request to the control point addresses one at a time, until the service is initiated at one of the addresses, wherein the service request is sent to an address and when the address does not initiate the service, the service request is sent another address, until the service is initiated at one of the addresses.

In contrast, claim 1 recites "sending the service request to the control point addresses one at a time, until the service is initiated at one of the addresses, wherein the service request is sent to an address and when the address does not initiate the service, the service request is sent to another address, until the service is initiated at one of the addresses." This feature also is recited by claims 19 and 20. Claim 9 recites "sending the service request to a control point address selected on the basis of the congestion information, wherein the service request is sent to an address selected on the basis of the

congestion information and when the address does not initiate the service, the service request is sent to another address selected on the basis of the congestion information, until the service is initiated at one of the addresses. This feature also is recited by claims 21 and 22. Plus, according to the claimed invention, the service request sent to another address when the service request has not resulted in the initiated of a service. Applicant submits that Bell does not disclose these features.

Bell does not disclose messages being sent to different service control points when the message has not initiated a service. Bell describes sequentially sending messages. The messages of Bell, however, are different messages and not the same message. Bell describes messages again being sequentially sent to all the processing nodes upon the start of the next message sent, but this refers to the sending of the next batch of messages and not to the resending of any messages that have already been sent. Thus, Bell does not disclose all the features of the claims.

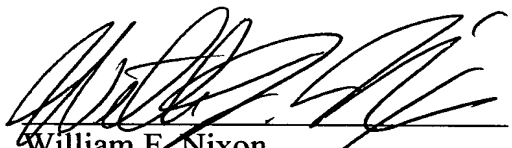
For at least these reasons, Applicant submits that Bell does not anticipate independent claims 1, 9, 19, 20, 21 and 22. Further, Bell does not anticipate claims 3-8, 10-13, 15-18 that depend from the independent claims. In addition, the dependent claims recite subject matter in addition to the independent claims and are therefore allowable.

Applicant respectfully requests that the Examiner withdraw the anticipation rejection of the presently pending claims. It is therefore respectfully requested that all of claims 1, 3-13 and 15-22 be allowed, and this application pass to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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